

## M E M O R A N D U M

**TO: Preparer of Order**

**FROM: Bankruptcy Clerks Office**

**RE: Documents Required for Processing Order**

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Pursuant to Federal Bankruptcy Rule 9022, the Bankruptcy Clerks Office is required to serve notice of entry of Judgments and Orders. Accordingly, the Clerks Office will note the date of entry on each Order, and, unless the Court directs otherwise, will serve copies of the Orders on all contesting parties. To ensure that service is proper, the Court requires that the preparer of each Order submit the following items to the Clerks Office:

- c **A certificate of service, which will be signed by the Clerks Office.** The certificate of service must include the Bankruptcy Administrator in (a) all Chapter 7 and 11 cases, and (b) in Chapter 12 and 13 cases when the order regards (1) fees, (2) a dismissal with prejudice, (3) a motion filed by the Bankruptcy Administrator, or (4) a motion responded to by the Bankruptcy Administrator. If service of the Order upon the Bankruptcy Administrator is required, the certificate should include a notation that service was made by "hand delivery," which is the Clerks Office's method of serving the Bankruptcy Administrator.

The certificate should also include all contesting parties, who commonly include (as applicable) the movant, trustee, debtor in possession, creditors committee chairman, and any party filing a response or objection. If an attorney has appeared for a party, the party's name should be listed in care of the attorney (for example, Joe Debtor c/o Mary Attorney). Because the Clerks Office will serve all copies of the Order, your name should appear on the list of parties served as well.

If the Greensboro or Winston-Salem Chapter 13 Standing Trustee is included on the certificate, the certificate should include a notation that service was made by "hand delivery," which is the method of service to these Trustees. This notation should not be included for the Durham Standing Trustee.

A sample certificate of service is attached.

- c **Pre-addressed, stamped envelopes for every party (except for Bankruptcy Administrator and Chapter 13 Standing Trustees) listed on the certificate of service.** Your return address should appear on each envelope. If there are any returned envelopes, you should prepare a new envelope with the correct address, and submit the envelope with a certificate of service (containing only the name and address of the returned envelope(s)) to the Clerks Office. For offices that use a postage meter, it is recommended that the meter date remain blank.
- c **Enough copies of the Order for service upon the parties listed on the certificate of service.**

Your prompt attention to submitting these items will ensure that the Clerks Office properly serves Orders.

attachment: Sample of Certificate of Service

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

IN RE: )  
 )  
Joe Debtor ) Case Number: B-95-55555C-7W  
Ima Debtor )  
Debtors. )

**CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY** that on the below date, the undersigned Deputy Clerk served a copy of the [DESCRIPTION OF ORDER BEING SERVED] by depositing the same, enclosed in a postpaid wrapper, properly addressed to the following parties in interest, at their last known addresses as shown below, in a post office or official depository under the exclusive care and custody of the United States Postal Service:

Big Bank  
c/o Mary Jones  
P.O. Box 99999  
Winston-Salem, NC 27114

Joe and Ima Debtor  
c/o Fred Smith  
P.O. Box 00000  
Winston-Salem, NC 27114

Michael D. West, Esq. (HAND DELIVERED)  
U.S. Bankruptcy Administrator  
101 South Edgeworth Street  
Greensboro, NC 27401

**THIS** the \_\_\_\_ day of \_\_\_\_\_, 1996.

OFFICE OF THE CLERK

BY: \_\_\_\_\_  
Deputy Clerk